

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

<b>ROBERT LEE GOULD, and</b>	)	
<b>EVELYN KNIGHT GOULD,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>8:15CV453</b>
<b>v.</b>	)	
	)	
<b>FANNY MAE MORTGAGE,</b>	)	<b>Order</b>
<b>CITI MORTGAGE,</b>	)	
<b>JUDGE THOMAS SALADINO,</b>	)	
<b>RONALD HUNTER,</b>	)	
<b>WILMINGTON FUND SOCITY, and</b>	)	
<b>TRUSTEE FOR</b>	)	
<b>VENTURES TRUST,</b>	)	
	)	
<b>Defendants.</b>	)	

This matter comes before the court *sua sponte*. The Federal Rules of Civil Procedure effective December 1, 2015, provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” [Fed. R. Civ. P. 4\(m\)](#). The court must extend the time for service for an appropriate period upon a plaintiff’s showing of good cause for the failure. [Fed. R. Civ. P. 4\(m\)](#).

The plaintiffs, pro se, filed a complaint on December 15, 2015, ([Filing No. 1](#)) and an amended complaint on February 9, 2016 ([Filing No. 5](#)). Summons were returned unexecuted on February 11, 2016 ([Filing No. 6](#)) and this court directed the Clerk of Court to send blank summons forms to the plaintiffs. ([Filing No. 7](#)). The Clerk of Court mailed the plaintiffs blank summons forms on February 22, 2016. Since that date, no activity has taken place in this suit and no defendant has made an appearance. The 90-day deadline for service of process has expired. It remains the plaintiffs’ duty to go forward in

prosecuting the case. Therefore, the plaintiffs must make a showing of good cause for the failure of timely service or the action must be dismissed. Accordingly,

**IT IS ORDERED:**

The plaintiffs shall have until **on or before June 17, 2016**, to file proof of service on the defendants or show cause why the action should not be dismissed for failure to prosecute.

**DATED: May 24, 2016.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**